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RUEHPU/AMEMBASSY PORT AU PRINCE PRIORITY 4761
RUEHSP/AMEMBASSY PORT OF SPAIN PRIORITY 1874
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C O N F I D E N T I A L SANTO DOMINGO 002790

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STATE FOR WHA/CAR

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TAGS: [PGOV](#) [ETRD](#) [SNAR](#) [ECON](#) [PHUM](#) [DR](#)
SUBJECT: AMBASSADOR FANNIN PRESENTS CREDENTIALS, MAKES
COURTESY CALLS

REF: SANTO DOMINGO 2748

Classified By: Ambassador P. Robert Fannin, Reasons 1.4(b), (d)

Summary

11. (U) Since arriving at Post on December 13, Ambassador Fannin has presented his credentials to President Fernandez and paid courtesy calls on all three branches of the Dominican Government, including the Attorney General, the Dean of the Diplomatic Corps, the President of the Central Elections Board, Minister of Industry and Commerce, President of the Supreme Court, Minister of Environment, and the Presidents of the Senate and House of Representatives. While these meetings were primarily an opportunity for the Ambassador to get to know his Dominican counterparts, a number of substantive issues were discussed, including the presidential election, CAFTA-DR summit, "shootdown" law, Santo Domingo subway, Somo-JCE commercial dispute, Dominican Freedom of Information Act, and prison exchange treaty.

President Fernandez

12. (C) On December 18, the Ambassador presented credentials to President Fernandez and spoke to the President for approximately 30 minutes. The discussion was very friendly in tone, with Fernandez eschewing some of the formality of the event, enthusiastically greeting members of the country team, and singling out the DCM for praise for his service as Charge d'Affaires. Fernandez pledged to work with the United States in every way possible and said that his office has an open door to us. He then spoke at some length about the damage caused by Tropical Storms Noel and Olga, describing his visit the day before to disaster sites. The President said the agricultural sector has been hit badly and that the recovery would take three-to-four years. Regarding the upcoming presidential election, Fernandez said that he regretted that the Dominican political system depended more on the granting of jobs to supporters than the candidates' ideology and platforms. He expressed his hope that the election would be seen as fair and transparent, regardless of who wins.

Minister of Industry and Commerce

13. (U) Minister of Industry and Commerce Paredes told the Ambassador that President Fernandez had asked him to organize a CAFTA-DR summit in March 2008 to assess the first year of implementation. After the meeting, ECONOFF spoke to the Director of the Directorate of Foreign Trade, Pablo Espinal, who said he had informally contacted his counterparts in Central America to see if they could find possible dates in March for a summit. He acknowledged that if the dates slip into April, it would be less likely that the event could be held before the presidential elections in May. In September, during a visit to the United States, President Fernandez had announced his intention to host such a summit. However, in October, the Secretary for Economy, Planning and Development, Temistocles Montas, told us that the Administration would not be able to organize a summit before the presidential election.

President of Senate

14. (SBU) Reinaldo Pared Perez, President of the Senate, discussed recent achievements by the upper house, putting special emphasis on a number of laws passed that would help strengthen institutions, as well as legislation that requires the executive branch to consult with Congress on spending budget surpluses. Pared said that an important issue remains pending -- constitutional reform. Amendments are needed so that "developments" in the country since the 1966 charter can be taken into account, e.g. the plebiscite, third generation rights (such as the right to culture and to environmental

protection), and "amparo" (appeal for legal protection). The DCM raised our concerns regarding the law pending in the Senate that would authorize the "shutdown" of aircraft suspected of narcotics trafficking (Reftel). Pared appeared surprised to hear of our concerns, but pledged to discuss them with the committee chairman handling the bill. Pared requested a copy of the CNIES agreement, the accord which the shutdown law may violate.

Dean of Diplomatic Corps

15. (C) The Ambassador thanked Monsignor Timothy Broglio, outgoing Papal Nuncio and Dean of the Diplomatic Corps, for his outstanding cooperation with the Embassy over the past six years, and inquired regarding the state of Dominican democracy. The Monsignor said that there has been progress on democracy, but that it had to be measured in small steps. On the one hand, there have been "great strides" with improving the judiciary. On the other, the Dominican political system is still based on spoils and not ideology or party platforms. Regarding the human rights of the Haitian-Dominican community, the creation of the Foreigners' Book (Libro de Extranjeria) to document births is a "big advance," although there are still "many problems" with Haitian rights. The Monsignor commented that some Haitian-Dominican activists have "unrealistic demands." The Ambassador raised the Santo Domingo subway project. The Monsignor replied that the subway was an "abomination of desolation," and that the spending on the transportation project came at the expense of an education system that is in "very bad shape."

President of Central Elections Board

16. (SBU) Julio Castanos Guzman, President of the Central Elections Board (JCE), described the U.S. as an ally of the JCE in its efforts to strengthen Dominican democracy. Castanos expressed concerns about the executive branch's proposed budget for the Board for next year. He said that the allocation was virtually unchanged from this year, despite the fact that 300,000 new voters would participate in

the 2008 election and 250 polling stations were being set up around the world for overseas Dominicans in a major new initiative. The DCM praised the JCE's work in past elections, as well as the achievements of Citizens Participation (Participacion Ciudadana), a Dominican NGO and USAID-grantee that leads electoral observation efforts. (Note: Guzman told the Ambassador that the Dominican Republic had had free elections since 1966, an assertion which left us scratching our heads given that there were fraudulent elections in 1978 and 1994, at a minimum.)

¶7. (SBU) Regarding the JCE's recently introduced Foreigners' Book (Libro de Extranjeria), Castanos refuted critics' claims that the program discriminated against the Haitian-Dominican community. Rather, he argued, the Book promotes human rights by allowing illegal immigrants to register births, while at the same time meeting a Dominican objective of not conveying citizenship. The Ambassador then raised the commercial dispute between the JCE and the American-Dominican consortium "Somo." Somo has a US\$58 million contract for work on the Board's identity and birth document system and sought Post's assistance in receiving payments in arrears and securing a meeting with the JCE, which they have not had in over a year. Castanos replied that there were allegation of corruption regarding the contract and that the JCE had hired an auditor to investigate. He said that the Board would meet with consortium "in a few months" when the audit had been completed.

President of Supreme Court

¶8. (SBU) Jorge Subero Isa, President of the Supreme Court, described the Dominican judiciary was the most improved in Latin America in recent years. Subero said that the U.S. had

played an important role in these strides, praised USAID's programming for the justice sector, and requested continued support next year. Key current judicial programs include strengthening the public defender service, the judicial school, an anti-corruption case integrity system, rigorous performance evaluation of judges, land titling, alternative dispute resolution, and improved service to the public via consolidated justice centers. Unfortunately, Subero continued, the President's proposed budget for the judiciary is insufficient and will impede the implementation of these projects. Turning to the Supreme Court's rulings, the judge cited as 2007's two most important decisions the ruling in favor of a journalist in a test of the Dominican Freedom of Information Act, as well as the Court's decision to increase the sentence of a military officer convicted of the 1973 extrajudicial killing of Orlando Martinez from 20 to 30 years. (Note: It is indeed rare here to see the executive branch lose a major court case and this one is precedent setting, since the public and government are testing the scope and limit of the 2004 FOIA law.)

Attorney General

¶9. (SBU) Attorney General Jimenez praised the state of bilateral cooperation, saying that he did not consider Embassy staff "foreigners," but rather "part of our team." He described USAID's justice programs as "fundamental" to reform of the legal sector and he made a strong pitch for continued support in 2008. The USAID officer present replied that we hoped to continue our program with the justice system, but that we could not make any definitive statements until after our Operational Plan in completed. When the DCM said that a bilateral prison exchange treaty is under consideration, Deputy Attorney General Cueto expressed the concern that, if transferred to the Dominican Republic, Dominican drug barons would take advantage of weaknesses in the local prison system and continue to run criminal enterprises from behind bars. The DCM expressed the hope that the prison system could be strengthened and pledged to continue the discussion of the treaty.

President of House

¶10. (SBU) Julio Cesar Valentin, President of the House of Representatives, briefed the Ambassador on issues facing the legislative branch. Valentin, who represents the same party as the President, said that the House needed to improve its check and balance function vis-a-vis the executive branch. Given the prevalence of clientism, he continued, the Congress must improve its auditing and accounting work, as well as its follow up once laws are passed. The ability to pursue these objectives has been impeded by the paucity of skilled professional staff. The DCM discussed the possibility of sending staffers on International Visitor Programs (IVPs). Describing the U.S. as "our principal friend," Valentin praised the IVP program. He said that in the late 1990s he and Senator Andres Bautista had been on an IVP together, and that subsequently he and Bautista had gone on to be the presidents of the House and Senate. Valentin also said that he hoped to form a U.S.-Dominican Congressional Friendship Committee.

Minister of Environment

¶11. (U) The Ambassador informed Minister Environment Ramirez of the environment trade capacity building allocations for FY07, which were due to be announced in Washington the same day. The Minister said he was pleased with the close cooperation that his ministry has with the Embassy and that he looks forward to working closely together in the future.

(U) This report and additional information can be found on Embassy Santo Domingo's SIPRNET site,
<http://www.state.sgov.gov/p/wha/santodomingo/>
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